

Kent F. Larsen, Esq.
 Nevada Bar No. 3463
 Karl L. Nielson, Esq.
 Nevada Bar No. 5082
 SMITH LARSEN & WIXOM
 Hills Center Business Park
 1935 Village Center Circle
 Las Vegas, Nevada 89134
 Tel: (702) 252-5002
 Fax: (702) 252-5006
 Email: kfl@slwlaw.com
kln@slwlaw.com
 Attorneys for Defendant / Counterclaimant
 JPMorgan Chase Bank, N.A.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SHIREHAMPTON DRIVE TRUST,

Plaintiff,

v.

JPMORGAN CHASE BANK, NATIONAL
 ASSOCIATION; MTC FINANCIAL INC.
 DBA TRUSTEE CORPS; LOUISA
 OAKENELL; and UNITED STATES OF
 AMERICA TREASURY DEPARTMENT,
 INTERNAL REVENUE SERVICE,

Defendants.

CASE NO.: 2:16-cv-02276-RFB-EJY

**ORDER VOIDING FEBRUARY 7, 2013
 ESSEX AT HUNTINGTON
 HOMEOWNERS ASSOCIATION
 FORECLOSURE SALE AND
 RESULTING FORECLOSURE DEED
 (CLARK COUNTY RECORDER'S
 INSTRUMENT 201302070002082)**

AND RELATED COUNTERCLAIMS.

On September 30, 2023, the Court filed an Order in this action. *See* ECF No. 93, a copy of which is attached hereto as Exhibit A. In the Order, the Court granted Defendant-Counter Claimant JPMorgan Chase Bank, National Association's ("Chase") Post-Remand Motion for Summary Judgment (ECF No. 82) finding that the Essex at Huntington Homeowner Association lien foreclosure sale occurring on January 28, 2013 regarding the real property

SMITH LARSEN & WIXOM

ATTORNEYS

HILLS CENTER BUSINESS PARK

1935 VILLAGE CENTER CIRCLE

LAS VEGAS, NEVADA 89134

TEL (702) 252-5002 • FAX (702) 252-5006

located at 705 Shirehampton Drive, Las Vegas, Nevada 89178 (APN 176-18-613-028) (the “Property”) was void. *See* Order at p. 14. This Court further ordered Chase to submit a proposed order for filing with state officials by October 13, 2023 (*see* Order at p. 15) and this order is the result of that directive.

Pursuant to the Order, and good cause appearing,

IT IS HEREBY ORDERED ADJUDGED AND DECREED that the Essex at Huntington Homeowners Association lien foreclosure sale conducted on January 28, 2013 with respect to the Property, pursuant to that certain Notice of Foreclosure Sale recorded in the Official Records of the Clark County, Nevada Recorder on September 18, 2012 as Instrument No. 201209180000664, is null and void and set aside for all purposes and is of no further force and effect;

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Foreclosure Deed recorded in the Official Records of the Clark County, Nevada Recorder against the Property on February 7, 2013 as Instrument No. 201302070002082, and rerecorded on March 27, 2013 as Instrument No. 201303270002898, is null and void, is of no further force and effect, and the Clark County, Nevada Recorder is directed to expunge the Foreclosure Deed from its Official Records;

IT IS FURTHER ORDERED ADJUDGED AND DECREED that title to the Property is hereby returned to the *status quo ante*, as if the January 28, 2013 lien foreclosure sale had not occurred; and,

IT IS FURTHER ORDERED ADJUDGED AND DECREED that this Order shall be recorded in the Official Records of the Clark County, Nevada Recorder to further effectuate the rulings and directives of this Court as contained in the Order (ECF No. 93).

IT IS SO ORDERED:



UNITED STATES DISTRICT JUDGE
DATED: October 23, 2023

SMITH LARSEN & WIXOM

ATTORNEYS
HILLS CENTER BUSINESS PARK
1935 VILLAGE CENTER CIRCLE
LAS VEGAS, NEVADA 89134
TEL (702) 252-5002 • FAX (702) 252-5006

Submitted By:

SMITH LARSEN & WIXOM

/s/ Karl L. Nielson

Kent F. Larsen, Esq.

Nevada Bar No. 3463

Karl L. Nielson, Esq.

Nevada Bar No. 5082

1935 Village Center Circle

Las Vegas, Nevada 89134

Attorneys for Defendant/Counterclaimant

JPMorgan Chase Bank, N.A.